IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION Case No. 5:22-CV-00068-BO

YOLANDA IRVING, et al.,)
Plaintiffs,)
v. THE CITY OF RALEIGH, et al., Defendants.	DEFENDANT CITY OF RALEIGH'S MOTION TO ALLOW EXCESS CARRIER TO ATTEND SETTLMENT CONFERENCE BY VIRTUAL MEANS
)) -)

NOW COMES Defendant City of Raleigh ("the City"), by and through undersigned counsel, and hereby respectfully requests that representatives of Lloyd's London, the City's excess insurance carrier, be allowed to attend the upcoming Court-hosted settlement conference remotely via telephone and/or video conference. In support of this Motion, the City shows the Court the following:

- 1. A court-hosted settlement conference before the Honorable United States Magistrate Jude Robert B. Jones, Jr. is scheduled to be held on Monday, August 15, 2022, at 9:30 a.m. in Wilmington, North Carolina (DE #70). The undersigned counsel and a City representative will be present in person for the mediation, as required by applicable rules.
- 2. Robbie Vaughan, Senior Manager Claims with RiverStone International, is a representative of the City's excess insurance carrier, Lloyd's, London, and plans to participate in the settlement conference. RiverStone and Senior Manager Vaughan are located in Brighton, East Sussex, United Kingdom. They have asked to participate in the conference by remote means.
 - 3. Given the travel distance and current COVID-19 conditions, travel imposes a

hardship on Senior Manager Vaughan.

4. The undersigned counsel has consulted with Plaintiffs' counsel regarding this

Motion and Plaintiffs' counsel has consented to remote appearance for the excess carrier's

representatives.

5. Should the Court grant this Motion, the undersigned will arrange for representatives

appearing on behalf of Lloyd's, London to attend the conference by telephonic or video means for

as long as the Court requires.

6. The City respectfully submits that the spirit and intent of the court-hosted

settlement conference can be fully and adequately met through the telephonic or video attendance

of the representative from its excess insurance carrier, and no party will be prejudiced by this

representative's attendance at the conference by virtual means.

WHEREFORE, for the foregoing reasons, Defendant City of Raleigh hereby respectfully

requests permission for representatives of the City's excess carrier to attend the settlement

conference set for August 15, 2022, at 9:30 a.m. by virtual means.

Respectfully submitted, this the 2d day of August, 2022.

CITY OF RALEIGH

Robin L. Tatum, City Attorney

By: /s/ Dorothy V. Kibler

DOROTHY V. KIBLER

Deputy City Attorney

N.C. Bar No. 13751

DO D. 700

PO Box 590

Raleigh, NC 27602

Tel: (919) 996-6560

Fax: (919) 996-7021

Dorothy.Kibler@raleighnc.gov

Counsel for Defendants City of

Raleigh, Chief of Police Estella

Patterson, and City Manager

Marchell Adams-David

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION CASE NO. 5:22-cv-68-BO

YOLANDA IRVING, et al.,)
Plaintiffs,)
v.) CERTIFICATE OF SERVICE
THE CITY OF RALEIGH, et al.)
Defendants.)

I hereby certify that on August 2, 2022, I electronically filed the foregoing **DEFENDANT**CITY OF RALEIGH'S MOTION TO ALLOW EXCESS CARRIER TO ATTEND

SETTLMENT CONFERENCE BY VIRTUAL MEANS with the Clerk of Court using the CM/ECF system, which sends notification of such filling to all counsel of record as follows:

Abraham Rubert-Schewel Tin Fulton Walker & Owen, PLLC 119 E. Main Street Durham, NC 27701 schewel@tinfulton.com Counsel for Plaintiffs

Emily Gladden
Tin Fulton Walker & Owen, PLLC
204 N. Person Street
Raleigh, NC 27601
egladden@tinfulton.com
Counsel for Plaintiffs

Michael Littlejohn, Jr. Littlejohn Law, PLLC PO Box 16661 Charlotte, NC 28297 mll@littlejohn-law.com Counsel for Plaintiffs Jason Benton
Parker Poe Adams & Bernstein, LLP
620 South Tyson Street, Suite 800
Charlotte, NC 28202
jasonbenton@parkerpoe.com
Counsel for Defendant Abdullah

Rodney Pettey
Samuel Thompson, Jr.
Yates McLamb & Weyher, LLP
PO Box 2889
Raleigh, NC 27602
Counsel for Defendants Monroe, Rattelade, and Gay

Norwood Blanchard, III Crossley McIntosh Collier, & Edes, PLLC 5002 Randall Parkway Wilmington, NC 28403 norwood@cmclawfirm.com Counsel for Defendant Rolfe Ian Mance
Elizabeth Simpson
Emancipate NC, Inc.
ian@emancipatenc.org
elizabeth@emancipatenc.org
Counsel for Plaintiffs

Respectfully submitted,

CITY OF RALEIGH Robin L. Tatum, City Attorney

By: /s/ Dorothy V. Kibler
DOROTHY V. KIBLER
Deputy City Attorney
N.C. Bar No. 13751

PO Box 590

Raleigh, NC 27602 Tel: (919) 996-6560 Fax: (919) 996-7021

Dorothy.Kibler@raleighnc.gov

Counsel for Defendants City of Raleigh, Chief of Police Estella Patterson, and City Manager Marchell Adams-David